

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

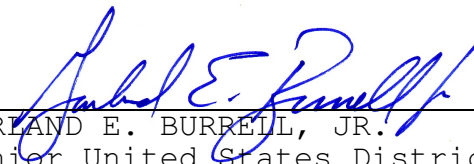
HARRIET MORGAN,)	
)	2:13-cv-00524-GEB-AC
Plaintiff,)	
)	
v.)	<u>REMAND ORDER</u>
)	
WELLS FARGO BANK, N.A., as)	
successor by merger to WELLS)	
FARGO HOME MORTGAGE, INC., and)	
also as successor by merger to)	
WELL FARGO BANK, N.A. f/k/a)	
WACHOVIA MORTGAGE, F.S.B. f/k/a)	
WORLD SAVINGS BANK, F.S.B.; and)	
DOES 1-100 inclusive,)	
)	
Defendant.)	

Wells Fargo removed this case from the Superior Court of the State of California in the County of Solano, asserting federal subject matter jurisdiction based on diversity of citizenship under 28 U.S.C. § 1332. (ECF No. 1.) Wells Fargo states in its Notice of Removal that Plaintiff "is a citizen of California based on domicile" and that Wells Fargo is a citizen of South Dakota. (Id.) However, this argument, and the other arguments Wells Fargo makes in support of its removal, are unpersuasive in light of the exhaustive analysis of the same issues in Taheny v. Wells Fargo Bank, N.A., 878 F. Supp. 2d 1093 (E.D. Cal. 2012), which this Court finds persuasive and had previously adopted. See Gosal v. Wells Fargo Bank, N.A., No. 2:12-cv-02024-GEB-CKD, 2012 WL 4961696, at *1-2 (E.D. Cal. Oct. 15, 2012) (Burrell, J.) (following Taheny and

1 holding that Wells Fargo is a citizen of South Dakota as well as
2 California).

3 Since both Plaintiff and Wells Fargo are citizens of
4 California, the Court is without subject matter jurisdiction, and this
5 case is remanded to the Superior Court of the State of California in the
6 County of Solano.

7 Dated: March 27, 2013

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11 GARLAND E. BURRELL, JR.
12 Senior United States District Judge
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